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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA (SAN JOSE)

Adobe Systems Incorporated, Plaintiff, v. Jacque Ojadidi a/k/a Jaque Ojadidi, an individual and d/b/a BuyBargainDeals and C Web; XMicro, LLC and Does 1 – 10, inclusive, Defendants.	Case No.: CV10-2388 LHK **JOINT CASE MANAGEMENT STATEMENT**

The parties to the above-entitled action (the "Parties") submit this Joint Case Management Statement pursuant to the Court's Reassignment Order dated August 2, 2010, Docket No. 9, and following their Fed. R. Civ. P. 26 meeting that occurred telephonically on September 10, 2010.

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JOINT CASE MANAGEMENT STATEMENT

a. Date Case Filed: May 28, 2010.

b. List of the Named Parties:

Plaintiff Adobe Systems Incorporated

Defendant Jacque Ojadidi a/k/a Jaque Ojadidi, an individual and d/b/a BuyBargainDeals and C Web

Defendant XMicro, LLC

c. Summary of all Claims:

Plaintiff's Complaint includes claims for copyright and trademark infringement.

d. Brief Description of the Event Underlying the Action:

Plaintiff Adobe Systems Incorporated ("Plaintiff" or "Adobe") seeks money damages and injunctive relief against Defendants Jacque Ojadidi a/k/a Jaque Ojadidi, an individual and d/b/a BuyBargainDeals and C Web and XMicro, LLC (collectively "Defendants") for infringing Plaintiff's copyrights and trademarks. In particular, Plaintiff alleges that Defendants were responsible for the distribution, promotion and sale of unauthorized computer software, containing copies of Plaintiff's computer programs. Defendants deny Plaintiff's allegations.

e. Description of Relief Sought and Damages Claimed:

Plaintiff contends it may elect statutory or actual damages but is not prepared to make that election at this time. Plaintiff may also seek entry of a permanent injunction.

f. Status of Discovery (including limits or cutoff dates):

Plaintiff anticipates propounding written discovery, issuing subpoenas to Defendants' third party service providers, as well as taking depositions.

Defendants anticipate propounding written discovery, issuing subpoenas and taking depositions.

The Parties do not believe that discovery should be conducted in phases or limited to or focused only upon particular issues.

The Parties propose that discovery be completed by the proposed discovery cut-off date of May 2, 2011, or any other discovery cut-off date the Court may set.

The Parties do not propose any other changes in the limitations on discovery beyond those already contained in the Federal Rules and the Local Rules.

g. Procedural History:

There are no prior or pending motions. No ADR sessions or settlement conferences have been set or conducted. There are no pending appeals. This matter was not previously referred to a Magistrate Judge other than for discovery matters.

h. Other Deadlines in Place: None.

The parties propose an expert designation deadline consistent with the federal rules.

The parties propose a fact discovery cut-off date of May 2, 2011, by which time all fact discovery shall be concluded.

The parties propose that all motions, including dispositive motions, be requested to be heard not later than September 29, 2011.

The parties propose a pretrial conference date of November 9, 2011.

The parties propose a trial date of December 5, 2011.

i. Any Requested Modification of Dates Previously Set: Not applicable.

j. Consent to Magistrate Judge:

Plaintiff does not consent to assignment of this case to a United States Magistrate Judge for Trial.

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k. Immediate Need for a Case Management Conference.

None.

DATED: September 17, 2010

J. Andrew Coombs, A Professional Corp.

By: /s/ Annie S. Wang
J. Andrew Coombs
Annie S. Wang
Attorneys for Plaintiff Adobe Systems Incorporated

DATED: September 17, 2010

The Morales Law Firm

By: /S/
David P. Morales, Esq.
Attorneys for Defendants Jacque Ojadidi a/k/a Jaque Ojadidi, an individual and d/b/a BuyBargainDeals and C Web and XMicro, LLC